

Federal Defenders  
OF NEW YORK, INC.

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David E. Patton  
Executive Director

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November 11, 2020

*By ECF*

Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *United States v. David Spralling*, 20 Cr. 490 (AT)

Dear Judge Torres:

I write on consent (Assistant U.S. Attorney Micah Ferguson and U.S. Pretrial Services Officer Ashley Cosme) to respectfully request that the Court modify the conditions of Mr. Spralling's bail by removing the condition of curfew enforced by electronic monitoring.

David Spralling is charged with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). Mr. Spralling was originally arrested by the New York Police Department on March 8, 2020, and released on bail. On August 24, 2020, he self-surrendered to the Marshals, and was presented before Judge Freeman, who set bail conditions including a \$25,000 personal recognizance bond, to be co-signed by two financially responsible persons, and curfew enforced by electronic monitoring. Mr. Spralling was released the same day, and over the past three months, has been wholly compliant with all the conditions of release. Among other things, Mr. Spralling searched for and secured full-time employment (he is working at a Family Dollar Store in Jamaica).

Under 18 U.S.C. § 3142(c)(1)(B), a judicial officer is instructed to set the least restrictive set of conditions that will reasonably assure the appearance of the person as required and the safety of the community. At any time, a court may "amend the order to impose additional or different conditions of release." *Id.* at(c)(2). Here, Mr. Spralling has demonstrated by his exemplary conduct since his arrest eight months ago that the condition of curfew enforced by electronic monitoring is more restrictive than necessary to satisfy the purposes of the Bail Reform Act, and accordingly I respectfully request that the Court remove that condition. As noted above, both the Government and Pretrial Services consent to the requested modification.

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Respectfully submitted,

/s/

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Martin S. Cohen  
Ass't Federal Defender  
(212) 417-8737

cc: Micah Ferguson, Esq., by ECF  
Ashley Cosme, U.S. Pretrial Services, by e-mail

GRANTED. Defendant's bail is modified to remove the condition of curfew enforced by electronic monitoring.

SO ORDERED.

Dated: November 12, 2020  
New York, New York



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ANALISA TORRES  
United States District Judge